

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

M.A. & U.D. Department - Greater Hyderabad Municipal Corporation – Engineering – Tenders invited under EPC System for certain works in GHMC area for the work of construction of 80'-00" wide road for a length of 2600 meters and 60'-00" wide road for a length of 800 meters from Dargah Junction to OU Colony in Serilingampally (South) as per approved RDP - Approval of Tenders – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (F2) DEPARTMENT

G.O.Rt.No. 656,

Dated the 1st day of June, 2011.

Read the following:

1. G.O.Ms.No.446 M.A. & U.D. (F2) Department, dated 10.07.2009.
2. G.O.Ms.No.729 M.A. & U.D. (F2) Department, dated 22.12.2009.
3. From the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, Letter No.ENC/GHMC/TA-II/K5/2011, dated 26.03.2011 and 13.05.2011.

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O R D E R:

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad in reference 3rd read above has stated that the Greater Hyderabad Municipal Corporation has proposed to take up the construction of 80'-00" wide road for a length of 2600 meters and 60'-00" wide road for a length of 800 meters from Dargah Junction to OU Colony in Serilingampally (South) as per approved RDP.

2. The Commissioner, GHMC has further stated that the Committee-I constituted vide G.O.Ms.No.504 M.A. & U.D. (A1) Department, dated 12.07.2007, in its meeting dated 17.07.2009, has approved to call for Tenders for the above work. Accordingly, tenders were invited from the eligible bidders for the above work and after opening of the received price bids, it is found that M/s.VKA Constructions, Hyderabad is lowest bidder for the work. After completion of tender process and approval of the tender by the Govt, vide G.O.Ms.No.729 M.A. & U.D. Department, dated 22.12.2009, agreement was concluded with the successful tenderer M/s.VKA Constructions, Hyderabad vide agreement No.68/ENC/GHMC/TA-H/K5/2009-10, dated 10.03.2010 for the contract amount of Rs.7,94,00,000/- which is @ (-) 20.7534% less when compared with the Internal Bench Mark (IBM) value of Rs.10,01,93,555/-. The contract was determined under clause 60A of APSS as the contractor did not commence the work even after several notices, vide Proceedings No.ENC/GHMC/2010-11, dated 04.11.2010.

3. The Commissioner, GHMC has also stated that Short Tenders were invited (1st call) for the subject work through e-procurement vide Tender Notice No.50/GHMC/ENC/TA-II/K5/2010-11, dated 20.01.2011. The tender notice was published on dated 22.01.2011 in Times of India, Economic Times, Andhra Jyothi and Munsif news papers. Technical Bid was opened on 02.02.2011 after 4:00 p.m. and it was found that two bidders viz M/s.Siddhardha Constructions Pvt Ltd., Hyderabad and M/s.V.S.Engineering Pvt., Ltd., Hyderabad have participated in the tenders. The firm M/s.Siddhardha Constructions Pvt., Ltd., was found responsive and M/s.V.S.Engineering Pvt. Ltd. Is found non responsive as the bidder has not satisfied Registration and Solvency Criteria as per the Tender conditions.

4. Meanwhile, M/s.VKA Constructions filed a Writ Petition in the APHC for staying orders of the determinations, restoration of the work to the petitioner and the fresh tender notice issued for the work and the court has given time upto 07.03.2011 for opposition if any. The firm on dated 04.02.2011 has also filed W.P.M.P.No.1796 of 3011 in W.P.No.1468 of 2011 and the Court issued interim stay for a period of six weeks. Subsequently, the Corporation has filed Counter Affidavit in the Court through its Standing Counsel. The Hon'ble High Court in its order dated 21.04.2011 ordered that "*the writ petition is dismissed. It is, however, made clear that in case the petitioner has executed any part of the work and it is otherwise entitled in law to claim the amount for it, it shall be open to it to make claim and pursue in accordance with Law. There shall be no order as to costs*". The Commissioner, Greater Hyderabad Municipal Corporation in his letter has informed that the question of entitling for making any claim for any value of the work as may have been executed by the contracting firm M/s.VKA Constructions, Hyderabad and not paid for does not arise in accordance with law, as the said contract was determined as per clause 60A of APSS and relevant agreement conditions.

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5. The price bid of the firm M/s.Siddhardha Constructions Pvt., Ltd., Hyderabad which has participated and become responsive in the fresh tenders invited for the work after determination of the earlier agreement entered with M/s. VKA Constructions, Hyderabad is opened by the ENC, GHMC on e-procurement platform on 22.03.2011. The firm M/s. Siddhardha Constructions Pvt., Ltd., Hyderabad has become single eligible lowest tenderer which has quoted the overall tender cost as Rs.7,91,52,000/- which is @ (-) 21.0009% less when compared with the Internal Bench Mark (IBM) value of Rs.10,01,93,555/-.

6. The Commissioner, GHMC has further stated that the Government have constituted a Committee-II vide G.O.Ms.No.504 M.A. & U.D. (A) Department, dated 12.07.2007, empowering to approve the tenders of all the schemes proposed to be taken up under Engineering Procurement and Construction (EPC) System. Accordingly, a meeting of the Committee-II on 23.03.2011 has approved the tenders of the subject work and the tender of the firm M/s.Siddhardha Constructions Pvt., Ltd., (who has become L1 tenderer) which has quoted the tender cost of Rs.7,91,52,000/- which is @ (-) 21.0009% less when compared with the Internal Bench Mark (IBM) value of Rs.10,01,93,555/-. As there is a possibility for an appeal by M/s. VKA Constructions, Hyderabad, the tender of the firm M/s.Siddhardha Constructions Pvt., Ltd., (who has become L1 tenderer) which has quoted the tender cost as Rs.7,91,52,000/- which is @ (-) 21.0009% less when compared with the Internal Bench Mark (IBM) value of Rs.10,01,93,555/- is approved by the Commissioner, GHMC and permitted the ENC, GHMC to issue Letter of Acceptance (LOA) to the firm M/s.Siddhardha Constructions Pvt., Ltd., and also to enter into agreement with the firm of the above work in anticipation of approval of the tender by the Govt., as per Government Memo. No.3131/I1/2008, dated 13.03.2008 of MA&UD Department.

7. The Commissioner, GHMC has requested the Government to issue orders for approval of the tender of M/s.Siddhardha Constructions Pvt., Ltd., Hyderabad, who has quoted the tender cost at Rs.7,91,52,000/- which is @ (-) 21.0009% less when compared with the Internal Bench Mark (IBM) value of Rs.10,01,93,555/- for construction of 80'-00" wide road for a length of 2600 meters and 60'-00" wide road for a length of 800 meters from Dargah Junction to OU Colony in Serilingampally (South) as per approved RDP as approved by the Committee-II, duly ratifying his action permitting the ENC GHMC to issue Letter of Acceptance (LOA) to the firm M/s. Siddhardha Constructions Pvt. Ltd.,

8. Government after careful examination of the matter hereby approve the Tender for an amount of Rs.7,91,52,000/- which is @ (-) 21.0009% less when compared with the Internal Bench Mark (IBM) value of Rs.10,01,93,555/- for the work of construction of 80'-00" wide road for a length of 2600 meters and 60'-00" wide road for a length of 800 meters from Dargah Junction to OU Colony in Serilingampally (South) as per approved RDP as recommended by the Committee-II and the Commissioner, Greater Hyderabad Municipal Corporation shall be permitted to award the works to the Contractors, subject to meeting the expenditure from the Greater Hyderabad Municipal Corporation funds and also ratify the action of the Commissioner, Greater Hyderabad Municipal Corporation in approving the said tender duly permitting the Engineer-in-Chief, Greater Hyderabad Municipal Corporation to issue Letter of Acceptance (LOA) to the firm M/s. Siddhardha Constructions Pvt. Ltd.,

9. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR,
SECRETARY TO GOVERNMENT.

To
The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.
Sf./Sc.

// Forwarded By Order //

SECTION OFFICER.